

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUAN CHAVEZ,

Plaintiff,

-against-

DOE; MARIAN BROWN; BOBBY
LUMPKIN; L.A. MUNI COURT,

Defendants.

23-CV-5123 (LTS)

TRANSFER ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is currently incarcerated at Twin Towers Correctional Facility in Los Angeles, California, brings this action *pro se*. He sues the Los Angeles Municipal Court, two named individuals (Marian Brown and Bobby Lumpkin) and an unidentified “Doe” defendant. The allegations set forth in the complaint concern conduct that occurred in Los Angeles, California. In fact, the complaint is a near duplicate of an action Plaintiff filed in this court on June 14, 2023. *See Chavez v. Doe*, ECF 1:23-CV-5030, 1 (S.D.N.Y. June 22, 2023) (“*Chavez I*”). The Court transferred *Chavez I*, under 28 U.S.C. § 1404(a), to the United States District Court for the Central District of California. *Id.* (Doc. No. 3.)

For the reasons articulated in the Court’s June 22, 2023, order in *Chavez I*, transferring that action to the Central District of California, the Court transfers this action to the United States District Court for the Central District of California.

CONCLUSION

The Clerk of Court is directed to transfer this action to the United States District Court for the Central District of California, Western Division. Whether Plaintiff should be permitted to proceed further without prepayment of fees is a determination to be made by the transferee court.

A summons shall not issue from this Court. This order closes the case in the Southern District of New York.

The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: August 1, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge